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Attorneys for Plaintiffs ROSE FEAVER,
ARTIN ADAMIAN, AND MYUNGSUN SHIM
and the Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROSE FEAVER, an individual,
MYUNGSHUN SHIM, an individual,
ARTIN ADAMIAN, an individual,
individually, and on behalf of all others
similarly situated,

Plaintiffs,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., KAISER FOUNDATION HOSPITALS,
and Does 1 through 50, Inclusive

Defendants.

CASE NO.: 3:15-CV-00890-EMC

Assigned To: Hon. Edward M. Chen

CLASS AND COLLECTIVE ACTION

**STIPULATION TO CONTINUE
BRIEFING AND HEARING ON
CONDITIONAL CERTIFICATION
AND ~~PROPOSED~~ ORDER**

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Plaintiffs Rose Feaver, Myungshun Shim, and Artin Adamian (together “Plaintiffs”) and
3 Defendants Kaiser Foundation Health Plan, Inc., and Kaiser Foundation Hospitals (together
4 “Defendants”, and together with Plaintiffs the “Parties”), by and through their respective counsel
5 of record hereby stipulate as follows:

6 WHEREAS, pursuant to the discourse on the record at the Case Management Conference
7 that occurred in this Action on June 4, 2015, the Court Ordered (Docket No. 25) the following
8 briefing and hearing schedule on Plaintiffs’ Motion for Conditional Certification:

9 Plaintiffs’ Motion:	9/10/2015
10 Defendants’ Opposition:	10/15/2015
11 Plaintiffs’ Reply:	10/29/2015
12 Hearing:	11/12/2015 at 1:30 p.m.
13 Further CMC:	11/12/2015 at 1:30 p.m.
14 Close of Discovery:	8/31/2015

15 WHEREAS, the Parties have served written discovery and Defendants have served
16 notices of the depositions of the three named Plaintiffs in this Action pursuant to the Court’s
17 Minute Order dated June 4, 2015;

18 WHEREAS, Plaintiff Feaver, during the week of August 2, 2015, experienced a family
19 emergency, whereby Plaintiff Feaver’s son was in a catastrophic traffic accident likely resulting
20 in a traumatic brain injury, among other injuries suffered;

21 WHEREAS, Plaintiff Feaver has left the State of California to be with her son in the
22 State of Arizona, and does not intend to return to the State of California until the week of
23 September 7, 2015;

24 WHEREAS, Plaintiffs have requested that Defendants continue their deposition of
25 Plaintiff Feaver until such time as she has returned from caring for her injured son;

26 WHEREAS, Defendants did not object to Plaintiffs’ request to accommodate Plaintiff
27 Feaver’s situation and continued the dates of all depositions;

28 WHEREAS, Plaintiffs have been meeting and conferring with Defendants regarding

Defendants responses to Plaintiffs' discovery requests and the Parties have been working in good faith to exchange adequate discovery in advance of the motion for conditional certification;

WHEREAS, the Parties have agreed that Defendants will produce documents Plaintiffs believe are necessary for Plaintiffs' motion for conditional certification during the week of August 24, 2015;

WHEREAS, the Parties request an Order from the Court continuing the briefing deadlines for the motion for conditional certification, so that Defendants may complete their discovery while accommodating Plaintiff Feaver's requested continuance of her deposition and Plaintiffs will have adequate time to review the documents produced before filing their motion. Plaintiff Feaver has in effect requested an additional 5 weeks from Defendants before submitting to her deposition, therefore, the Parties request that all dates be moved by 5 weeks. The resulting schedule would look as follows:

Plaintiffs' Motion:	10/15/2015
Defendants' Opposition:	11/24/2015
Plaintiffs' Reply:	12/8/2015
Hearing:	12/17/2015 at 1:30 p.m.
Close of Conditional Certification Discovery:	10/5/2015

In addition, given that the Court's ruling on the Motion for Conditional Certification will greatly impact the remaining claims in this case, the Parties request that the CMC that was scheduled to take place at the same date and time as the hearing on Plaintiffs' Motion for Conditional Certification be continued until 14 days after the Court issues an Order on Plaintiffs' Motion. The Parties request that they submit a joint report suggesting a further schedule for this case within 5 days of the Court's ruling on the Motion for Conditional Certification.

Dated: August 25, 2015

KEARNEY LITTLEFIELD, LLP
STONEBARGER LAW, APC

By: Prescott W. Littlefield
Prescott W. Littlefield
Attorneys for Plaintiff

1 Dated: August 25, 2015

SEYFARTH SHAW, LLP

2
3 By: Jessica Lieberman
4 Jessica Lieberman
5 Attorneys for Defendant

6 I, Prescott W. Littlefield, hereby attest that pursuant to LR 5-1(i) I have on file
7 concurrence for any signatures indicated by a “conformed” signature (/s/) within this e-filed
8 document.

9
10 /s/ Prescott W. Littlefield
11 Prescott W. Littlefield

12
13 **~~PROPOSED~~ ORDER**

14 Pursuant to the Parties’ Stipulation, the briefing schedule for Plaintiffs’ Motion for
15 Conditional Certification is as follows:

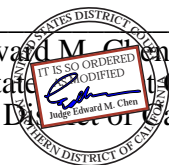
16 Plaintiffs’ Motion:	10/15/2015
17 Defendants’ Opposition:	11/24/2015
18 Plaintiffs’ Reply:	12/8/2015
19 Hearing:	12/17/2015 at 1:30 p.m.
20 Close of Conditional Certification Discovery:	10/5/2015

21
22 In the Court’s Order regarding conditional certification, the Court will set a date for a
23 further case management conference and a filing deadline for a joint case management statement.

24
25 IT IS SO ORDERED. Futher CMC is reset for 2/4/16 at 10:30 a.m. An updated
26 joint CMC statement shall be filed by 1/28/16.

27 Dated: 8/27/15

28
Hon. Edward M. Chen
United States District Court Judge
Northern District of California

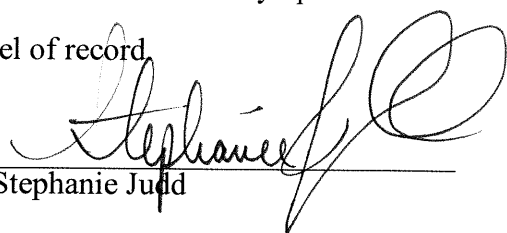


CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 25, 2015, the foregoing

**• STIPULATION TO CONTINUE BRIEFING AND HEARING ON CONDITIONAL
CERTIFICATION AND [PROPOSED] ORDER**

was filed electronically with the Clerk of the Court to be served by operation of the Court's
CM/ECF electronic filing system to all counsel of record.


Stephanie Judd

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